

SAMPLE FLEXIBLE WORK ARRANGEMENTS POLICY

[Insert effective/revised date]

Generally. It is the policy of the department to use business tools such as flexible work arrangements wherever appropriate to enhance Continuity of Government (COG) and Continuity of Operations Planning (COOP), meet environmental and energy conservation goals, reduce traffic congestion, recruit and retain a qualified and diverse workforce, and enhance services to all Colorado citizens through increased efficiency, productivity, and customer service. Flexible work arrangements may involve either or both alternative work schedules (flextime) and alternative work locations (flexplace).

All employment laws, rules, policies, standards, and expectations still apply, including punctuality and regular attendance, advance leave and overtime approval, call-in procedures, time reporting, office safety, confidentiality and security safeguards, and expected levels of communication, productivity and service. Participation in flexible work arrangements does not change the employee's salary, benefits, work status, or other rights and responsibilities as a state employee. Flexible work arrangements may be used on a permanent, temporary, recurring, or occasional basis, but are always subject to the business needs of the department. Such alternatives are a privilege, not a right or benefit, and may be approved, disapproved, discontinued, or modified at any time at the sole discretion of the appointing authority.

Flextime. An alternative work schedule permits an employee to work daily hours different from regular office hours, or work a full schedule in fewer days. Schedules requiring fewer than five workdays each week may require employees to adjust schedules or use leave to accommodate a holiday or other day off. The standard workweek for all state employees begins at 12:01am Saturday and ends at midnight the following Friday. Certain alternative work schedules may require a one-time permanent re-defining of the employee's workweek.

Flexplace. An alternative work location permits an employee to work away from the regular or traditional office one or more days per week. The alternate office must have adequate work space and be free from safety and fire hazards. The supervisor or the employer's designated agent has the right to make on-site visits to the remote work location for purposes of determining that the site is safe and to maintain, repair, inspect, or retrieve state-owned equipment, software or supplies.

In general, employees working under a flexplace arrangement must provide, at their own personal expense, all necessary equipment and resources (computer, phone, high speed internet, phone line, desk, chair, etc.), as well as cover the operating cost and maintenance of personal equipment. The department may provide basic equipment or supplies, but is not required to do so. Any equipment or supplies purchased with state funds, and electronic data or other information created or maintained through the use of those resources, remain the property of the state. Employees are responsible for protecting state property from damage and unauthorized access.

Employees performing official business during designated work hours at an alternate office are covered by workers' compensation insurance for injuries arising out of the course and scope of

employment and must be immediately reported. Employees remain liable for injuries to third persons, including family members, at the alternate office. The employer is not liable for damages to the employee's personal or real property except to the extent of liability under Colorado law in the regular office.

Employees working at an alternate office shall be reasonably available by phone and email during work hours as agreed upon in the Flexplace Participation Agreement. Face-to-face business may not be conducted in a home office.

Flexplace is not a substitute for dependent care. Employees may be asked to provide documentation of formal care arrangements in place for dependents.

Suitability assessments. Appointing authorities will assess each type of job to determine the positions' suitability for flexible work arrangements. Upon determining that particular positions are suitable for a flexible work arrangement, appointing authorities will apply consistent standards in selecting persons holding those positions to be approved for a flexible work arrangement.

Criteria used by appointing authorities in making these selections may include the desire of particular employees to flexplace/flextime, the historic performance and work characteristics of particular employees, the range of skills of supervisors in managing flexible work arrangements, and such other standards as may be applicable within a business unit, consistently applied. Flexible work arrangement requests may be denied by the appointing authority based on any business reason.

Approvals, disapprovals, or changes of flexible work arrangements must be documented. If a flexible work arrangement is approved, the employee, supervisor and appointing authority shall sign and abide by the Flexplace/Flextime Participation Agreement and submit a copy to Human Resources. Employees who are currently under an informal agreement with their supervisors will have 45 days following the release of this policy to formalize the arrangement.

Disputes. Any disputes will be addressed utilizing the department's dispute resolution process.

Training and Evaluation. Supervisors and employees may be required to take training offered by the department on flexible work arrangements. The Flexplace/Flextime Participation Agreement will be reviewed by the supervisor and employee during the performance review and revised as necessary. Employees shall agree to participate in all studies, inquiries, reports and analyses relating to flexible work arrangements.